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PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

D'AMATO ET AL.

Serial No. **09/780,650**

Filed: **FEBRUARY 12, 2001**

For: **ESTROGENIC COMPOUNDS AS
ANTI-MITOTIC AGENTS**

Art Unit: 1616

Examiner: **BADIO, B.**

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OCT 01 2004

OFFICE OF PETITIONS

**PETITION TO WITHDRAW APPLICATION FROM ISSUE
UNDER 37 C.F.R. §1.313(c)(2) FOR CONSIDERATION OF A REQUEST FOR
CONTINUED EXAMINATION IN COMPLIANCE WITH 37 C.F.R. §1.114**

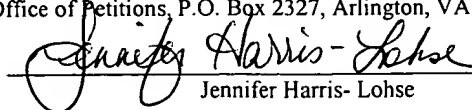
Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Office of Petitions:

The applicant hereby petitions the Office under 37 C.F.R. §1.313(c)(2) to withdraw the above-identified application from issue to permit consideration of a Request for Continued Examination in compliance with 37 C.F.R. §1.114 for the purpose of consideration of a Supplemental Information Disclosure Statement. Pursuant to a search of PAIR on September 28, 2004, applicants understand that this application has not been assigned an issue date. A copy of the concurrently filed Request For Continued Examination is filed herewith. Enclosed is a check in the amount of \$130.00 which represents the required filing fee of this Petition. However, the U.S. Patent and Trademark Office is hereby authorized to deduct any additional fees that may be required or credit any overpayment to Deposit Account No. 11-0855.

Certificate of Service

I hereby certify that this correspondence is being hand delivered to the U.S. Patent and Trademark Office, Office of Petitions, P.O. Box 2327, Arlington, VA 22202, on September 29, 2004.


Jennifer Harris-Lohse

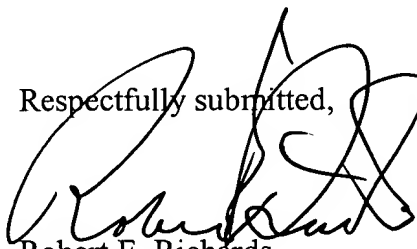
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The reason for the present Petition is the need for the Examiner's consideration of references that applicant has submitted previously in a Supplemental Information Disclosure Statement.

A Request for Continued Examination and a submission including the Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §1.97 and 1.98 is filed concurrently with this petition.

In view of the foregoing, applicant requests that this Petition be granted, and that the references and applications be considered by the Examiner in the Continued Examination of this application. If the Petition is granted, a telephone call to the undersigned attorney is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert E. Richards', is written over the typed name.

Robert E. Richards
Reg. No. 29,105

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Attorney Docket No. 05213-0493 (43170-253692)